

Berg, Elizabeth

From: Nicholas W. van Aelstyn <NvanAelstyn@bdlaw.com>
Sent: Monday, June 10, 2013 3:26 PM
To: Berg, Elizabeth
Subject: RE: Yosemite

Importance: High

Hi Thanne,

Any further word on when we can expect to see copies of EPA's source investigation materials? Did you get the voicemail message that David Batson and I left for you last week? We have a few related issues that we'd like to discuss with you in addition to this issue. Thanks.

Nico

From: Nicholas W. van Aelstyn
Sent: Friday, May 31, 2013 4:31 PM
To: Cox, Elizabeth
Cc: Zachary Norris
Subject: RE: Yosemite

Thanne,

Great minds think alike. I was just writing an email to you when yours arrived.

First, it took some digging but we did locate the aerial photos of the area in our files. We are having high resolution copies of them made, and will be providing those to you early next week. They are indeed eye-opening in many respects. We've also located sampling data on the Parks property adjacent to the auto salvage yard that we'll be providing as well. (I recall that Kathryn Tobias had committed to providing such information, but to my knowledge has not done so as yet.)

Second, we have not located additional information on Bauer Cooperage as yet. (I trust that you did note the reference to Bauer Cooperage in the old maps that Elaine provided again on May 10.) I suggest that EPA make demands of RWD Associates. RWD ought to be required to provide more information regarding its tenants and the industrial operations over the years at the various parcels that make up the RWD property, f.k.a. Buckeye Properties.

Third, we are actively looking into the possibility of sampling at the auto salvage yard and other potential properties near the slough. We expect to be speaking with the other PRPs about this soon; hopefully we'll have a response soon.

Fourth, I'm glad to hear that we'll be hearing from Ahbik soon with respect to the documents that EPA and its contractors obtained during its investigation. Per the requests made by the PRPs at the May 9 meeting, will EPA also provide (a) a list of the individuals interviewed by EPA during its investigation, and (b) EPA's interview notes? I note that it's been two weeks since your last email on this and more than three weeks since our meeting on May 9. If the PRPs are to provide any meaningful assistance during EPA's reconsideration of its earlier GNL decisions by EPA's self-imposed deadline of June 30, we really need to receive this material soon.

Thanks again. We'll be in touch next week. In the meantime, have a great weekend.

All best,

Nico

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Please consider the environment before printing this e-mail.

From: Cox, Elizabeth [<mailto:Cox.Elizabeth@epa.gov>]
Sent: Friday, May 31, 2013 4:13 PM
To: Nicholas W. van Aelstyn
Subject: Yosemite

Nico:

To follow-up on some of the discussions we had at the last meeting, I believe you or Zachary mentioned information about certain parties that you felt EPA did not adequately review or take into consideration. According to our notes, you talked about photographic evidence linking releases from Bayview Auto Dismantlers to the slough and evidence of Bauer-Cooperage operating as a drum recycler at the RWC property. Any information that you can provide for these parties would be helpful. As we committed in the meeting, we are fully re-evaluating the parties you identified.

I know that we still owe you a copy of the documents we gathered through independent research of PRPs and not through 104es. Abhik has been working on this task. I will meet with him early next week and inquire about the timing on that deliverable.

Thank you,

Thanne Berg
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